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1 BY MS. BOSTON:

2 Q. So you were at the Wal-Mart on Mansfield Road in  
3 Shreveport?

4 A. Yes.

5 Q. And what time of the day were you there?

6 A. I can't remember. I would say between 2:00 and  
7 4:00.

8 Q. And what was the date that you were there?

9 A. I think it was April the 24th. I'm not quite  
10 sure of the date.

11 Q. And who were you there with?

12 A. I was -- I had my foster child and a social  
13 worker.

14 Q. Which foster child?

15 A. I can't even remember her name. I think her name  
16 was McKenzie.

17 Q. McKenzie?

18 A. Uh-huh (affirmative response). I don't even  
19 remember her last name.

20 Q. And how old was she?

21 A. She was about 13.

22 Q. And do you know the social worker?

23 A. I can't remember. I'm thinking it's -- I can see  
24 her face. I can't remember her name. It's the first  
25 case I worked with her, so I wasn't familiar, and the

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1 that card.

2 Q. So you went shopping. Was your foster child with  
3 you?

4 A. Yes.

5 Q. And then what happened, you went through to pay?

6 A. I checked out and I paid for my items, and she  
7 paid for hers at customers service. And I checked out.

8 Q. Then what happened after you checked out?

9 A. After I checked out, I was getting ready to exit  
10 the store. I was walking away and I slipped and fell.

11 Q. Do you remember where you were in the store; were  
12 you in the entrance way, were you in an alley, near the  
13 cash register?

14 A. I -- I had left the cash register in the entrance  
15 way like heading out of the store, you know, where  
16 people are walking back and forth when you head out  
17 heading out of the store. I had made it out of the  
18 store. I wasn't too many feet from the cash register.

19 Q. So does this Wal-Mart -- it has double doors;  
20 doesn't it?

21 A. Yes, I was exiting out of the right one.

22 Q. So you had not gone through the first door to the  
23 second door?

24 A. No, I was still in the store.

25 MR. COOPER: Don't project what you were

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1 going to do way in the distant future because you were  
2 just -- I think you had just left the cash register.

3 A. Yeah, I just left the cash register.

4 BY MS. BOSTON:

5 Q. And did the cashier see you fall?

6 A. I'm sure they did because there was, you know,  
7 several cashiers there.

8 Q. Do you have any idea what made you fall?

9 A. It was something in the floor, liquid or  
10 something slippery was on the floor, and I slipped in it  
11 and fell.

12 Q. So did you see what was on the floor?

13 A. I -- when I fell, I was in so much pain I didn't  
14 recognize what was on the floor because the guy helped  
15 me up. But whatever it was, it was on my dress. My  
16 dress was wet and stuff, so I know it was a liquid in  
17 the floor.

18 Q. Did it have a color?

19 A. I can't -- I can't remember. I was in pain.

20 Q. I mean after you fell, did you turn to look at  
21 it?

22 A. I got up and I didn't see what it was. Like I  
23 said, it was clear liquid. I don't know what color it  
24 was.

25 Q. So you got up and then what happened?

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1 A. I -- he helped me up and I walked to my car.

2 Q. So tell me more about your fall. How did you  
3 fall?

4 A. I -- when I fell, I fell on my -- I slipped back  
5 like this (indicating). I slipped and went forward and  
6 that's when I jarred my neck and my shoulder -- my right  
7 shoulder. And I hit the floor with my left knee and  
8 twisted my right knee, and I landed on my hand and knee.  
9 And I was 260 pounds.

10 Q. Landed on which --

11 A. The left knee and right -- I mean and left hand.  
12 But when I slipped, it jarred me to the right side and I  
13 twisted my right foot and my shoulder and neck and back.

14 Q. And you said that somebody came over you to?

15 A. A guy helped me up.

16 Q. Was that a customers?

17 A. He was a customer.

18 Q. Did you get his name?

19 A. No, I didn't.

20 Q. Then you said you left?

21 A. Yes.

22 Q. Did you think to call anyone over from Wal-Mart?

23 A. No, I didn't know I was going to have damages as  
24 bad as I do now. I called when I got home because I was  
25 in so much pain, and I reported what had happened.

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1 know -- I know her name and I talked to her, but I -- I  
2 lost contact. I forgot her last name.

3 Q. Do you remember what kind of shoes you were  
4 wearing?

5 A. No, I don't.

6 Q. So I guess, are you saying that you slipped on a  
7 wet substance on the floor in Wal-Mart?

8 A. Yes, I did.

9 Q. And do you know what the substance was?

10 A. I don't know what it was.

11 Q. Do you know what color it was?

12 A. I don't know the exact -- I don't know the color.

13 Q. Do you know how long it had been on the floor?

14 A. I don't know how long it had been on the floor,  
15 but no one warned me that it was there. And I don't  
16 recall seeing any signs saying something was wet on the  
17 floor.

18 Q. What was the weather like that day?

19 A. It was cloudy and I think it may have been  
20 raining or had rained. I can't remember if it had  
21 rained that day. It had rained going home, but it may  
22 have rained earlier. I don't remember.

23 Q. Had you taken any medication that day?

24 A. I take medicine every day. I had taken my  
25 medicine that morning.

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1 Q. Why did you feel you needed to get an attorney?

2 A. Because I was in pain all weekend.

3 Q. Did you think that Wal-Mart wasn't going to  
4 listen to you?

5 A. Yes.

6 Q. I mean but the manager had told you to come in  
7 and fill out a statement?

8 A. Yes, but that wasn't going to pay for my medical.  
9 I was in extreme pain, hurting everywhere. And it's  
10 obvious you have to have someone to represent you when  
11 you don't know what your -- exactly what you're dealing  
12 with.

13 Q. What time do you think you fell?

14 A. Between 2:00 and 4:00.

15 Q. And when did you first see any kind of physician  
16 for this?

17 A. I'm thinking the following Friday I started  
18 seeing Dr. Zahn.

19 Q. Zahn?

20 A. Zahn.

21 Q. How did you find Dr. Zahn?

22 A. My attorney.

23 Q. What were your complaints to Dr. Zahn?

24 A. I told him I was having -- I know I was having  
25 headaches, my neck and my back and my knee and my ankle

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1       helped me up because they couldn't do anything.

2       Q. So Wal-Mart employees did come to you?

3       A. Yes, the ones that -- someone was checking, but  
4       somebody did come and try to get me up. I think they --  
5       they were cashiers, but after they seen him get me up  
6       they went on about their business.

7       Q. Now did the man just help you up, did he stay  
8       with you?

9       A. Yeah, he walked me out of the store.

10       Q. And he didn't give you his name or anything?

11       A. No, I didn't even asked him.

12       Q. So once you stood up, did you look at what was on  
13       the floor? Did you turn and look at it?

14       A. When I stood up, he helped me up I just got up.  
15       And my knee, I remember grabbing my knee and I did like  
16       this (indicating). I said I'm going to be okay, I'll be  
17       okay. That's what I told him, I said, I'm going to be  
18       okay. And by the time, you know, I said I'll be okay.  
19       And my -- my hand was hurting. I'll be okay and he  
20       followed me. He said, you sure you're okay? I said I'm  
21       going to okay. I'm hurting right now, but I'm -- I'm  
22       going to be okay. That's what I said. But before I  
23       could make it home, it was like hurting everywhere.

24       Q. So do you have any idea how the substance got on  
25       the floor?

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1 A. No.

2 Q. Do you have any guesses?

3 A. No.

4 Q. Do you have any like guesses what it might have  
5 been on the floor.

6 MR. COOPER: I'm going to object.

7 BY MS. BOSTON:

8 Q. If you were just guessing, what did it look like?

9 MR. COOPER: We're not just guessing. But  
10 if you can describe what it looked like, that's okay.

11 THE WITNESS: That's what I told you. I  
12 can't remember.

13 MR. COOPER: I think you already asked her  
14 that.

15 BY MS. BOSTON:

16 Q. How big was it?

17 A. I didn't see it. When I walked, it knocked me  
18 down. I don't even know how big it was.

19 Q. But after you fell, did you at any time look to  
20 see what you had slipped on?

21 A. I -- I would say I guess it was clear. I don't  
22 know. It was slippery. It was very slippery and it was  
23 on my dress.

24 Q. So did you look to see what you had slipped on?

25 A. No. Well, I looked down, but I don't -- I don't

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1 remember what it was. I looked down. It looked -- it  
2 was clear, I guess. I can't even remember. I remember  
3 looking when I got down and I guess my dress had covered  
4 whatever I had slipped on because I had on a long maxi  
5 dress. I remember that. And when I slipped, I must  
6 have covered it. And when he got me up, I didn't -- I  
7 don't know what was on floor. I know it was slippery.  
8 It was water or I don't know what it was. It must have  
9 been clear.

10 Q. Did you feel your dress?

11 A. It was wet. I was wet.

12 Q. The wet area, did it feel -- what did it feel  
13 like; did it feel slick, did it feel Vaseline slick, did  
14 it feel water slick, did it --

15 A. I can't -- I can't -- it was just wet. I didn't  
16 do -- I was in -- by the time I made it in my car, I  
17 didn't check back on my dress. I was trying to get  
18 home.

19 Q. Did it have a smell?

20 A. I didn't smell it.

21 Q. Did you tell the manager at the store or whoever  
22 you spoke to at the store that you were hurting?

23 A. Oh, yes, I told him when I got home. I told him  
24 I didn't report it because I thought I would feel  
25 better. I told him it was hurting really bad.

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1 MR. COOPER: And she said Maria. I don't  
2 know if you wrote that down or not.

3 MS. BOSTON: Marie?

4 MR. COOPER: Maria.

5 MS. BOSTON: Maria.

6 MR. COOPER: Like with an A at the end?

7 THE WITNESS: Yes. I kept saying Wilkerson  
8 or Willis.

9 MS. BOSTON: Ms. Washington has determined  
10 that the social worker's name is Maria Willis,  
11 W-i-l-l-i-s?

12 THE WITNESS: Yes.

13 MS. BOSTON: And you're going to try and get  
14 her contact information and get that to your attorney?

15 THE WITNESS: Yes.

16 MS. BOSTON: Thank you. I have no more  
17 questions?

18 EXAMINATION

19 BY MR. COOPER:

20 Q. Ms. Washington, when you came to the checkout  
21 line, were there other people in front of you?

22 A. Yes.

23 Q. About how long do you think you were in the  
24 checkout line.

25 A. I guess ten minutes, about ten minutes.

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1 Q. Were you in a position, where you were standing  
2 in the checkout line, to be able to see if the water  
3 became present on the floor during the time that you  
4 were standing in line?

5 A. Yes, I would've seen it.

6 Q. So the water would've been present for more than  
7 ten minutes per that observation?

8 A. Oh, yes. Yes.

9 Q. Or the liquid, I guess. I called it water, but  
10 you just know it was a liquid?

11 A. Yes.

12 Q. And when you left the cash register, how many  
13 steps would you estimate that you took before you fell?

14 A. Probably five, no more than seven -- five, about  
15 five steps.

16 Q. So you were very close to were the cashier, both  
17 in the line you were in and the line toward which you  
18 were walking to were they were present?

19 A. Yes.

20 Q. Where you fell at the cashiers, should they have  
21 been able to see the liquid on the floor?

22 A. They should have.

23 Q. And did the cashiers give you any kind of verbal  
24 warning that there was some liquid on the floor?

25 A. No.

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1 Q. Do you recall seeing any kind of wet floor signs  
2 or cones or anything like that?

3 A. No.

4 Q. So did you get any kind of warning that there was  
5 a liquid on the floor?

6 A. No.

7 Q. Did the cashiers, despite the liquid being  
8 present at least a minimum of ten minutes, do anything  
9 to mark off the liquid?

10 A. No.

11 Q. Or restrict access to the area where the liquid  
12 was?

13 A. No.

14 Q. Did they do anything to remove or clean the  
15 liquid up from the floor?

16 A. No.

17 MR. COOPER: Thank you, ma'am.

18 MS. BOSTON: I have a follow-up question.

19 EXAMINATION

20 BY MS. BOSTON:

21 Q. So you didn't see the liquid on the floor while  
22 you were standing in line for ten minutes?

23 A. No.

24 Q. But you expected that the cashiers should've seen  
25 it?

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1 BY MR. COOPER:

2 Q. Subject to the objection, you can answer.

3 A. Yes.

4 Q. Yes?

5 A. Yes.

6 Q. So did the position that the two cashiers that  
7 we're discussing were in, from where they were, do you  
8 think that they were in position to see the liquid on  
9 the floor?

10 A. Yes.

11 Q. And you being in line, you would've, for ten  
12 minutes if it had become -- somebody had spilled  
13 something on the floor, do you think you would've been  
14 in position to see that?

15 A. Yes, I was in line. I would've seen if somebody  
16 dropped something I could've seen it.

17 MR. COOPER: Thank you.

18 EXAMINATION BY

19 MS. BOSTON:

20 Q. How many people were in front of you in line?

21 A. It had to be two people.

22 Q. It took you ten minutes for two people?

23 A. Uh-huh (affirmative response). They had  
24 groceries, too.

25 Q. They had a lot of groceries?

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1           A. Yes.

2           Q. And did they slip or lose their balance when they  
3           walked away from the cash register?

4           A. They could've gone the other way. I can't  
5           remember them going the other way, but they -- I imagine  
6           they went out the other way. I was parked on this side,  
7           so I went out the right door.

8           Q. Did you watch the customers in front of you go  
9           out?

10          A. I was trying to get out of the store. No, I  
11          didn't -- I don't -- I don't be paying people attention.  
12          No, I didn't watch them. I'm just being honest. No, I  
13          didn't watch them which way they went.

14          Q. But you didn't notice anyone slip or --

15          A. I didn't notice it, no.

16           MR. COOPER: We'll waive reading and  
17           signing.

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